

Jury demand date: 6-22-73, by Pltf.

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS					
<p>Roger C. Myers, d/b/a Romyco Stereo,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>Ampex, Inc., a California Corp., Harry Fox Licensing Agency, Inc., a New York Corp., Capitol Records, Inc., a New York Corp., American Broadcasting Corp., a New York Corporation, Columbia Broadcasting System, Inc., a New York Corp., R.C.A. Corp., a/k/a Radio Corp. of America, a Delaware Corp., John F. Still, Delaware, Oklahoma, and Kenneth Palmer, d/b/a Kenneth Palmer Stereo Tape Co., Lawton, Oklahoma,</p> <p style="text-align: center;">Defendants.</p>				<p>For plaintiff:</p> <p>Pro Se P.O. Box 4000 Springfield, Missouri</p> <p>La Tuna Box 1000-20702 Anthony, New Mexico-Texas 88021</p> <p>For defendant: William D. Hunt (Capitol Records) P.O. Box 1439 Tulsa, Okla. 74101 587-3361</p>					
STATISTICAL RECORD		COSTS		DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 5 mailed 3-1-73		Clerk							
J.S. 6 mailed 9-1-73		Marshal							
Basis of Action: Violation of Sherman Anti-Trust Act.		Docket fee							
		Witness fees							
Action arose at:		Depositions							

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-12-73	Appl. to proceed without prepayment of costs, affidavit in support thereof,(and order), filed. v -order, as part of pldg., to Judge.	
2-21-73	Order filed, that plaintiff may proceed as a pauper. (AEB-J) ds	
2-21-73	Complaint for declaratory judgment, filed. ds summons issued	
3-6-73	Pltf's request for production of documents, filed. g	
3-6-73	Pltf's Exhibits A, B, C, D, filed. g.	
3-16-73	Plaintiff's affidavit of amount, filed. ds	
3-16-73	Plaintiff's motion for default, filed. ds	
3-20-73	Answer of Deft. <u>Columbia Broadcasting System, Inc.</u> , filed. v	
3-30-73	Answer of def. <u>American Broadcasting Corp.</u> , filed. rm	
4-4-73	Return on 8 U.S. Marshals Service, Summons, filed. Served Kenneth Palmer, in Lawton, Okla., on 2-27-73, with fees of \$25.60. Served Pres. of Capitol Records by serving Nancy Duryee, Off. Mgr., in New York, on 3-6-73, with fees of \$6.64. Unable to serve John F. Still - fee of \$13.44. Unable to serve R. W. Sarnoff, Pres., with fee of \$1.00. Served Herbert D. Trossman, by serving Leon Rice, in New York, on 2-28-73, with fees of \$5.32. Served L. H. Goldenson by serving Patricia Zisse, Gen. Atty., in New York, on 2-28-73, with fee of \$4.00. Unable to serve Harry Fox Licensing Agency, Inc. - fee of \$1.00. Unable to serve Howard S. Smith - fee of \$3.26. -v-	
4-11-73	Plaintiff's motion to quash, with brief in support, filed. ds	
4-11-73	Plaintiff's motion to advertise and attach, filed. ds	
4-11-73	Ordered by the Court that defendant respond to plaintiff's motion to quash and motion to advertise and attach within ten days of this date. (AEB-J) ds	
4-12-73	Defts. (Am. Broadcasting and Columbia Broadcasting) First Set of Interrogatories, filed. jj	
4-18-73	Request for leave to file additional pleadings and amendments, and response to Pltf.'s Motion to Quash Answers of Deft.s, filed by <u>American Broadcasting Corp., Inc.</u> , Deft. v	
4-18-73	Request for leave to file additional pleadings & amendments, & response to to Pltf.'s Mot. to Quash Answers of Deft.s, filed by Deft. <u>Columbia Broadcasting Systems, Inc.</u> v	
4-20-73	Brief in support of defs. ABC & CBS response to pltf. mo/quash, filed. rm	
4-23-73	ABC & CBS's (defts.) Motion to Dismiss, filed. jj	
4-23-73	Brief in Support of Motion to Dismiss, filed. jj	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-23-73	Ordered by the Court that pltf. is granted 10 days from this date in which to respond to defts' Motion to Dismiss. (AEB-J)jj letter mailed	
5-24-73	Defendant, Capitol Records, Inc., 's request for leave to file answer out of time, filed. (to Judge) ds	
5-30-73	Answer of Capitol Records, Inc., filed with leave of Court. g	
6-4-73	Interrogatories propounded to pltf., by def. Capitol Records, filed. rm	
6-22-73	Plaintiffs <u>Demand for Jury Trial</u> , filed. v	
6-25-73	Attorneys' Affirmation of Service, filed. jj (Capitol Records, Inc.)	
6-25-73	Attorneys' Affirmation of Service, filed. jj (America Broadcasting Corporation and Columbia Broadcasting Systems, Inc.)	
7-9-73	Motion of Pltf. to Strike with brief as part of pldg., filed. v	
7-9-73	Ordered by the Court that Deft. is grated 10 days from this date to respond to Pltf.'s Motion to Strike. (AEB-J)v	
7-12-73	Attorney's Affirmation of Service, filed. jj	
7-12-73	Deft. Capitol Records Mtn. to Dismiss, filed. jj	
7-12-73	Brief in Support of Mtn. to Dismiss, filed. jj	
7-12-73	Response and Obj. to Mtn. to Strike, Mtn. to Stay Action Filed in the E. Dist. of Tex. and Request for Ruling on Pending Mtn. to Dismiss, file jj	
7-12-73	Brief in Support of Response to Mtn. to Strike and in Support of Mtn. to Stay, filed. jj	
7-20-73	Plaintiff's motion to strike, filed. ds	
7-24-73	Plaintiff's motion to strike all answers and responses and move for default, filed. ds	
8-20-73	Plaintiff's motion for judgment filed. ds	
8-20-73	Ordered by the Court that defendant respond to motion of plaintiff for judgment with a reply brief within ten days. (AEB-J) ds	
8-24-73	Order denying motion for default judgment as to Kenneth Palmer, and dismissing cause of action and complaint with prejudice, filed and entered. (AEB-J)g	
9-6-73	Pltf's mot. to stay dismissal order, with supporting stmt., filed. g	
9-17-73	Order, filed, that the Motion to Stay Dismissal Order be OVERRULED. (AEB-J)v	
10-1-73	Application to proceed with appeal in forma pauperis, filed. g	
10-1-73	Motion for transmittal and production of record and entries, filed.g	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
10-2-73	Order permitting pltf. to proceed with appeal in forma pauperis, filed. (AEB-J) g copies to USCA, Hunt.	
10-2-73	Notice of appeal, filed. copies mailed. g	
10-2-73	Pltf's motion for transmittal of record, filed. g	
10-26-73	Appeal record (1 vol.) sent to USCA. g	
11-1-73	Motion for Denial of Lv. to App. in Forma Paup. or in the Alt. for Cert. of Bad Faith Proceed. and/or Frivil. Compl., filed. a	
11-1-73	Brief in support of Motion for Denial of Leave, filed. a	
2-13-74	Mandate of USCA affirming judgment of 8-24-73, filed & spread of record. g	
2-20-74	Appeal record (1 vol.) rec'd. from USCA. g	
11-4-74	Letter, filed, from Clerk, 10th Circuit C.A., advising that petition for writ of certiorari was denied by Supreme Ct. on 10/15/74. rm	